

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

FERNANDO RANGEL, ERIC	:	
DEAN GIBSON and ESTHER	:	
ZAMORA, on behalf of themselves	:	
and all others similarly situated,	:	
	:	
Plaintiffs,	:	No. 5:13-cv-00843-HLH
	:	
	:	
vs.	:	CLASS ACTION
	:	
CARDELL CABINETRY, LLC,	:	
H.I.G. CAPITAL LLC, and	:	
CARDELL ACQUISITION, INC., f/k/a	:	
H.I.G. CARDELL ACQUISITION, INC.,	:	
	:	
Defendants.	:	

**DECLARATION OF CORY S. FEIN IN SUPPORT OF
PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF ATTORNEYS'
FEES, COSTS AND EXPENSES, AND INCENTIVE AWARDS**

I, Cory S. Fein, declare as follows:

1. Along with my co-counsel, I represent the Plaintiffs in this case. I am the president of Cory S. Fein, PC, and during the prosecution of this litigation was a partner at the law firm of Caddell & Chapman in Houston, Texas. I am admitted to practice before the Supreme Courts of Texas and California and in multiple federal courts including the Western District of Texas. I submit this declaration in support of Plaintiffs' Unopposed Motion for Approval of Attorneys' Fees, Costs and Expenses, and Incentive Awards.

2. During the course of this litigation, Caddell & Chapman and I have been involved in various aspects, including the following:

- Investigated the closure of Cardell, and filed the first action against it on September 16, 2013 on behalf of Fernando Rangel, a former employee.

- Worked cooperatively with counsel that filed another related case against Cardell, and collectively filed an amended complaint on behalf of three plaintiffs on October 28, 2013.
- Conducted factual and legal research related to adding H.I.G. Capital and related entities as defendants. This included speaking with former Cardell employees, and conducting legal research regarding the single employer theory under the WARN Act.
- Researched, drafted and filed a memorandum in opposition to H.I.G.’s motion to dismiss the first amended complaint, which was subsequently denied by the Court without prejudice on January 17, 2014.
- Served subpoenas on third parties Wells Fargo (one of Cardell’s secured creditors), and negotiated with Wells Fargo’s counsel.
- Over the course of the case, spoke with numerous putative class members regarding the status of the lawsuit and the settlement.

3. The schedule attached as Exhibit A, and incorporated herein, is a detailed summary of the amount of time spent by Caddell & Chapman’s partners, attorneys and professional support staff who were involved in this litigation. The lodestar calculation is based on my Caddell & Chapman’s current billing rates. Exhibit A was prepared from contemporaneous time records regularly prepared and maintained by my firm. The hourly rates for my firm’s partners, attorneys and professional support staff included in Exhibit A are the usual and customary hourly rates charged for their services in similar complex class actions, and have been approved by multiple federal courts.

4. The total number of hours expended on this litigation by my firm from inception to October 31, 2014 is 96.5 hours. The total lodestar for my firm is \$54,040.00.¹ All of my firm’s

¹ Detailed hourly time records are available to the Court upon request.

work on this time has been performed on a contingent fee basis.

5. My firm's lodestar is based on the firm's current billing rates, which do not include charges for expense items. Expense items are billed separately and are not duplicated in my firm's lodestar.

6. My firm incurred a total of \$1,241.92 in unreimbursed costs and expenses necessary in connection with the prosecution of this litigation. These costs and expenses are described in Exhibit B, which is attached hereto and incorporated herein.

7. The expenses my firm incurred in litigating this action are reflected in the books and records of my firm. These books and records are prepared from expense vouchers, receipts, check records and other source materials and accurately reflect the expenses incurred.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 24th day of October, 2014, at Houston, Texas.

/s/ Cory S. Fein
Cory S. Fein

EXHIBIT A

INDIVIDUAL	HOURLY RATE	HOURS	TOTAL
Michael A. Caddell	\$875	13.30	\$11,637.50
Cynthia B. Chapman	\$675	12.30	\$8,302.50
Cory S. Fein	\$650	34.60	\$22,490.00
Amy E. Tabor	\$450	16.20	\$7,290.00
Kathy E. Kersh	\$250	10.70	\$2,675.00
Felicia D. Labbe	\$175	9.40	\$1,645.00
TOTAL		96.50	\$54,040.00

EXHIBIT B

C58-131
Cardell Cabinetry

COSTS - Direct					COSTS - Direct
Date	Emp	Units	Dollars	Gp	
09/30/13			30.00	10	CLERK, SUPREME COURT, CK 7342, DATED 09/13/13
09/30/13			18.00	10	CLERK, U.S. DISTRICT COURT, CK 7345, DATED 09/23/13
09/30/13			196.00	10	CLERK, U.S. DISTRICT COURT, CK 7346, DATED 09/24/13
09/30/13			6.00	60	PAPERCUT COPIES; 09/01-30/13
09/30/13			10.00	60	COLOR COPIES; 09/01-31/13
10/01/13			88.40	65	THOMSON REUTERS, WESTLAW, INV 828165687, DATED 10/01/13
10/17/13			400.00	20	TXWD CM ECF, FILING FEE, 09/16/13, PAID BY CSF
10/22/13			0.20	65	PACER SERVICE CENTER, INV CC0209-Q32013, DATED 09/30/13
10/29/13			50.00	20	AMEX, INV DATED 10/22/13; COURTS/USDC-TX-W
10/31/13			18.60	60	PAPERCUT COPIES; 10/01-31/13
10/31/13			2.90	50	POSTAGE; 10/01-31/13
10/31/13			17.00	60	COPIES #1; 10/01-31/13
11/19/13			29.78	17	FEDEX, INV 245043875, DATED 10/31/13
11/19/13			57.46	65	THOMSON REUTERS-WEST, WESTLAW, INV 828370935, DATED 11/01/13
11/30/13			2.80	60	COPIES, PAPERCUT, 11/01-30/13
11/30/13			8.00	60	COLOR COPIES; 11/01-31/13
12/02/13			0.92	50	POSTAGE; 11/01-30/13
12/05/13			1.03	20	AMEX, INV DATED 11/21/13; TX SECRETARY OF STATE
12/20/13			71.82	65	THOMAS REUTERS-WEST, WESTLAW, INV 828559750, DATED 12/01/13
12/31/13			78.60	60	PAPERCUT COPIES; 12/01-31/13
01/23/14			57.46	65	THOMSON REUTERS - WEST, WESTLAW, INV 828774076, DATED 01/01/14
01/23/14			8.20	65	PACER, INV CC0209-Q42013, DATED 01/08/14
01/31/14			0.40	60	PAPERCUT COPIES; 01/01-31/14
03/31/14			0.40	60	PAPERCUT; 03/01-31/14
04/21/14			16.30	65	PACER, INV CC0209-Q12014, DATED 04/07/14
04/30/14			0.40	60	PAPERCUT COPIES; 04/01-30/14
05/30/14			0.20	60	PAPERCUT; 05/01-31/14
07/31/14			0.40	60	PAPERCUT; 07/01-31/14
08/31/14			0.40	60	PAPERCUT; 08/01-31/14
09/01/14			65.75	65	THOMAS REUTERS-WEST, WESTLAW, INV 830288125, DATED 09/01/14
09/30/14			0.90	50	POSTAGE; 09/01-30/14
09/30/14			3.60	60	PAPERCUT; 09/01-30/14
<hr/> Tot DIR COSTS			1,241.92		1,241.92

EXHIBIT B